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December 8, 2010

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Cynthia T. Brown Chief of the Section of Administration, Office of Proceedings **Surface Transportation Board** 395 E. Street, SW Washington, D.C. 20024

Via Federal Express

In Re: Total Petrochemicals USA, Inc., v. CSX Transportation, Inc., et al Docket No. NOR-42121

Dear Ms. Brown:

Enclosed is an original and eleven copies of Defendant Nashville & Eastern Railroad Corp.'s Motion for Extension of Time. Please file the original, and ten copies, and return the conformed copy to me in the enclosed self-addressed/stamped envelope.

Thank you very much for your assistance in this matter.

Very truly yours,

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DWL/gat

1.

Encl:

Motion, 11 copies

2. SASE

Copy of ltr. and one copy of Motion to:

Stephen Drunsic Jeffrey O. Moreno, Esq. Thomas Burden G. R. Abemathy Jeff Collins Lucinda K. Butler Cathy S. Hale Michael Rennicke Joe Martin Paul Nichini Bemard M. Reagan **Lamont Jones**

Paul Hemmersbaugh, Esq.

Office of Probactings

BEC -9 2010

BEFORE THE SURFACE TRANSPORTATION BOARD

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TOTAL PETROCHEMICALS USA, INC.	VIII.
Complainant,	
v	Docket No.: NOR-42121
CSX TRANSPORTATION, INC; CAROLINA PIEDMONT DIVISION; GEORGIA WOODLANDS RAILROAD, LLC; MADISON RAILROAD; MOHAWK, ADIRONDACK & NORTHERN RAILROAD CORP.; NASHVILLE AND EASTERN RAILROAD CORP.; NEW HOPE & IVYLAND RAILROAD; PIONEER VALLEY RAILROAD; R.J. CORMAN RAILROAD COMPANY (MEMPHIS); SEMINOLE GULF RAILWAY L.P.; SEQUATCHIE VALLEY RAILROAD COMPANY; AND SOUTH BRANCH VALLEY RAILROAD,	DEC -9 2010

DEFENDANT NASHVILLE AND EASTERN RAILROAD CORPORATION'S MOTION FOR EXTENSION OF TIME

Defendants.

Comes the Defendant Nashville & Eastern Railroad Corp., by and through counsel, and would respectfully request the Board to extend the time in which it is required to file an answer in this cause. By Board Decision dated November 19, 2010, the Defendant and the ten other shortline carrier Co-Defendants were given until December 9, 2010 to file an answer in this cause.

The Defendant Nashville and Eastern Railroad Corp. has entered into negotiations with Plaintiff Total Petrochemicals USA, Inc., to resolve this lawsuit between them, and believes that these negotiations will be successful. This Defendant requests that it be allowed until December 16, 2010 to file an answer.

Counsel for this Defendant has spoken with counsel for Total Petrochemicals, USA, Inc., and he has no objection to this request.

Dated this 8th day of December, 2010.

Respectfully submitted,

David W. Lawrence

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Lebanon, TN 37087

615.444.6515

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davelawrence@birch.net

Attorney for Defendant,

Nashville & Eastern Railroad Corp.

Certificate of Service

I hereby certify that on this the 8th day of December, 2010, a true and exact copy of the foregoing Motion for Extension has been served on the following parties by first-class mail, postage pre-paid:

Jeffrey O. Moreno, Esq. David E. Benz, Esq. Thompson Hine LLP 1920 N. Street, NW, Ste. 800 Washington, DC 20036 Thomas Burden, General Manager Georgia Woodlands Railroad, LLC 210 Depot Street, P.O. Box 549 Washington, DC 30673

G.R. Abernathy, President Sequatchie Valley Railroad Co. P.O. Box 1296 Bell Buckle, TN 37020 Jeff Collins, General Manager Mohawk, Adirondack & Northern Railroad Corp 1 Mill Street, Ste. 101 Batavia, NY 14020

Lucinda K. Butler, Director South Branch Valley Railroad 120 Water Plant Drive Moorefield, WV 26836 Cathy S. Hale, Chief Executive Officer Madison Railroad City of Madison Port Authority 1121 W. JPG Woodfill Rd., #216 Madison, IN 47250

Michael L. Rennicke, Gen. Mgr. Pioneer Valley Railroad Authority P.O. Box 995 Westfield, MA 01086 Joe Martin, Division Manager R.J. Corman Railroad Company (Memphis) P.O. Box 37 145 East 1st Street Guthrie, KY 42234

Paul G. Nichini, President New Hope & Ivyland Railroad 32 West Bridge Street New Hope, PA 18938 Bernard M. Reagan, Sr. Vice President Seminole Gulf Railway, LP 4110 Centerpointe Drive, Ste. 207 Fort Myers, FL 33916

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David W.'Lawrence